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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,271	01/26/2004	Kazuaki Ono	00684.003573	6451
5514	7590	07/12/2005		
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			EXAMINER TRAN, HOAN H	
			ART UNIT 2852	PAPER NUMBER
DATE MAILED: 07/12/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/763,271	ONO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Hoan H. Tran	2852	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_ is/are rejected.
- 7) ☒ Claim(s) 1-5 and 7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                         | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08). | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>02/18/2004</u> .   | 6) <input type="checkbox"/> Other: ____.                                    |

### **DETAILED ACTION**

This application is in condition for allowance except for the following formal matters:

#### ***Specification***

1. The abstract of the disclosure is objected to because:
  - It contains legal phraseology such as “means” in line 2;
  - There are typographical errors in lines 2 and 15; i.e., change “imges” to --images— and “rotatab” to --rotatable--.
  - Lines 5, 6-7, 13 and 14-15, change  
“a supporting rotatable member” to --a rotatable supporting member--,  
“a pressing rotatable member” to --a rotatable pressing member--.

Correction is required. See MPEP § 608.01(b).

2. The disclosure is objected to because of the following informalities:
  - Page 10, line 19, change “imges” to --images--;
  - Page 11, line 4, change “rotatab” to --rotatable--.

Appropriate correction is required.

3. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

#### ***Claim Objections***

4. Claims are objected to because of the following informalities:
  - Claim 1, line 3, replace “imges” with --images--;

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- Claim 1, line 6, replace “a supporting rotatable member” with --a rotatable supporting member--;
- Claim 1, line 8, replace “a pressing rotatable member” with --a rotatable pressing member--;
- Claim 1, line 14, replace “supporting rotatable member” with --rotatable supporting member--;
- Claim 1, lines 15-16, replace “said supporting rotatable member” with --said rotatable supporting member--;
- Claim 1, line 17, replace “said pressing rotatab member” with --said rotatable pressing member--;
- Claim 2, lines 1-2, replace “said pressing rotatable member” with --said rotatable pressing member--;
- Claim 3, line 2, replace “said supporting rotatable member” with --said rotatable supporting member--;
- Claim 3, line 3, replace “an” with --the--;
- Claim 3, line 4, replace “said pressing rotatable member” with --said rotatable pressing member--;
- Claim 4, lines 3-4, replace “said pressing rotatable member” with --said rotatable pressing member--;
- Claim 5, lines 1-2, replace “said supporting rotatable member” with --said rotatable supporting member--;

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- Claim 7, lines 3-4, replace “said pressing rotatable member” with --said rotatable pressing member--.

Appropriate correction is required.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

***Allowable Subject Matter***

5. Claims 1-7 are allowed.
6. The following is a statement of reasons for the indication of allowable subject matter:  
None of the prior art of record teaches or suggests an image forming apparatus having a surface hardness of the rotatable supporting member through the fixing belt different from a surface hardness of the rotatable pressing member by +4 degrees to -8 degrees.

***Prior Art***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:
  - Yura et al. ['678] disclose a belt fixing apparatus.
  - Kikuchi et al. ['676] disclose a fixing device having a pressure-contacting member.
  - Katayanagi et al. ['947] disclose a fixing device.

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- Abe et al. ['888] disclose a belt fixing apparatus.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoan H. Tran whose telephone number is (571) 272-2141. The examiner can normally be reached from 8:30 AM - 5:00 PM Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Arthur Grimley can be reached at (571) 272-2136. The central office fax number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

HHT  
July 11, 2005



**HOAN TRAN  
PRIMARY EXAMINER**